

REMARKS

Claims 1-52 were examined and reported in the Office Action. Claims 28-36 are rejected. Claims 28 and 33-35 are amended. Claims 1-52 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. § 112

It is asserted in the Office Action that claims 28-36 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claims 28-36 to overcome the 35 U.S.C. § 112, second paragraph rejections. Applicant has amended claims 28 and 33-35 to overcome the 35 U.S.C. § 112, second paragraph rejections.

Accordingly, withdrawal of the 35 U.S.C. § 112 rejection for claims 28-36 is respectfully requested.

II. 35 U.S.C. § 101

The Office Action asserts that claims 28-36 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory matter. Applicant has amended claim 28 to overcome the 35 U.S.C. § 101 rejection. In particular, Applicant's amended claim 28 now includes the limitations of

determining whether the second resource with respect to which other resources have been found relevant in step b) has a first identifier associated with the second resource when one of said other resources is to be accessed by the computer system for display, and displaying other signaling information than the display of said other resource when the second resource with respect to which other relevant resources have been found relevant in step b) has the first identifier associated with the second resource when one of said other resources is to be accessed by the computer system for display.

Therefore, Applicant's amended claim 28 includes limitations leading to a tangible result and, thus, includes statutory matter.

Accordingly, withdrawal of the 35 U.S.C. § 101 rejection for claims 28-36 is respectfully requested.

III. 35 U.S.C. § 102(e)

It is asserted in the Office Action that claims 28-33 and 36 are rejected under 35 U.S.C. § 102(e), as being clearly anticipated by U. S. Patent No. 6,832,218 issued to Emens et al. ("Emens"). Applicant respectfully traverses the aforementioned rejection regarding claim 1 for the following reasons.

According to MPEP §2131,

'[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.' (Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). 'The identical invention must be shown in as complete detail as is contained in the ... claim.' (Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, i.e., identity of terminology is not required. (In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)).

Applicant's amended claim 28 relates to a method where first and second resources are "manually" associated together (i.e., by some user input device), and where a relevance scoring process is "automatically" (i.e., without user action) run on the second resource to find other relevant resources. The existence of the first resource is displayed to the user when one of the other resources is effectively accessed, by use of "association" data (i.e., an identifier of the first resource), which has been generated when the association was made by the user.

Emens discloses three steps where the organization and content are quite different from Applicant's claimed invention. Applicant includes a sketch to assist in noting the differences between Emens and Applicant's claimed invention. This sketch is not a new Figure to be added to the existing figures and is only evidence associated with this response. Applicant notes that while Applicant's claimed invention begins with a manual association between two existing resources, Emens begins with a query applied to a search engine and leads to a set of resources

fulfilling the query. It should be noted here that these resources are already implicitly associated together as emanating from the same query (Step A). From this set, the user selects a subset as his preferred results (Step B). It will be noted here that these resources are not “associated” to the query by the user because they were already associated with the query as asserted above. Also, these resources are merely declared by the user as the best or most preferred results for this query. The third step consists in identifying by the machine whether a second query made by another user is identical or similar to the first one (step C). If it is the case, the query is not applied to the search engine, but rather the results selected by the first user at step B instead of applying the second query to the search engine (step D).

Therefore, Applicant’s approach is quite different from Emens in many aspects. In particular: in Applicant’s claimed invention, a manual association step precedes subsequent machine-driven search steps, while in Emens, the method starts with a machine-driven processing of a query. Further, in Applicant’s claimed invention, the user is free to make any desired association between existing resources, without the constraint that they have to comply with a given query. The user, therefore, can bring sense to the information, while in Emens, the user merely separates between “good” existing associations and “not so good” existing associations.

Moreover, in Applicant’s claimed invention, the user that accesses an “other” resource can see more than what the relevance scoring process has determined (i.e., she can see a signalization of a first resource, which has not been detected by the relevance scoring process), while in Emens, the second user will see less than what her actual query would have led to. Even if one would consider the first and second queries in Emens as resources, there is no manual association between them in Emens. That is, it is the machine that determines whether a second query is identical or similar to a first one which has previously been applied to the search engine.

Further, Emens does not suggest any association a priori, because it would enlarge the scope of the search results obtained at the end while Emens seeks to limit the number of results. Additionally, Emens does not teach or suggest that the existence of a resource (i.e., the first resource in Applicant’s claimed invention) different from the ones provided by a relevance scoring process (i.e., the other resources in Applicant’s claimed invention) should be signaled

when accessing one of the latter resources (and not merely by adding a further member to the list of results). And, Emens does not teach, disclose or suggest Applicant's amended claim 28 limitations of

a) receiving user information from a user input device, said user information is representative of a declaration that a second resource accessible by the computer system should be associated with a first resource accessible by the computer system, and storing in association with said second resource an identifier of said first resource; b) identifying other resources accessible by the computer system that are relevant with respect to said second resource by a relevance scoring process; and c) determining whether the second resource with respect to which other resources have been found relevant in step b) has a first identifier associated with the second resource when one of said other resources is to be accessed by the computer system for display, and displaying other signaling information than the display of said other resource when the second resource with respect to which other relevant resources have been found relevant in step b) has the first identifier associated with the second resource when one of said other resources is to be accessed by the computer system for display.

Therefore, since Emens does not teach, disclose or suggest all of Applicant's amended claim 28 limitations, Applicant respectfully asserts that a *prima facie* rejection under 35 U.S.C. § 102(b) has not been adequately set forth relative to Emens. Thus, Applicant's amended claim 28 is not anticipated by Emens. Additionally, the claims that directly or indirectly depend on claim 28, namely claims 29-33 and 36, are also not anticipated by Emens for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 102(e) rejection for claims 28-33 and 36 is respectfully requested.

IV. 35 U.S.C. § 103(a)

It is asserted in the Office Action that claims 34 and 35 are rejected under 35 U.S.C. § 103(a), as being clearly anticipated by Emens in view of U. S. Patent Publication 2003/0101286 to Kolluri ("Kolluri"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

Applicant's claims 34 and 35 either directly or indirectly depend on amended claim 28. Applicant has addressed Emens above in section III regarding amended claim 28. Kolluri is relied on for disclosing a weighting process that includes an intermediate link for determining strengths of each other links. Even if Kolluri is combined with Emens, the resulting invention would still not teach, disclose or suggest Applicant's amended claim 28 limitations of

a) receiving user information from a user input device, said user information is representative of a declaration that a second resource accessible by the computer system should be associated with a first resource accessible by the computer system, and storing in association with said second resource an identifier of said first resource; b) identifying other resources accessible by the computer system that are relevant with respect to said second resource by a relevance scoring process; and c) determining whether the second resource with respect to which other resources have been found relevant in step b) has a first identifier associated with the second resource when one of said other resources is to be accessed by the computer system for display, and displaying other signaling information than the display of said other resource when the second resource with respect to which other relevant resources have been found relevant in step b) has the first identifier associated with the second resource when one of said other resources is to be accessed by the computer system for display.

Further, the assertions made in the Office Action on pages 8-9 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP 2143 cannot be found. Additionally, since neither Emens, Kolluri, and therefore, nor the combination of the two, teach, disclose or suggest all the limitations of Applicant's amended claim 28, as listed above, Applicant's amended claim 28 is not obvious over Emens in view of Kolluri since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from amended claim 28, namely claims 34-35, would also not be obvious over Emens in view of Kolluri for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection for claims 34 and 35 is respectfully requested.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-52 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on July 13, 2007, Applicant respectfully petitions the Commissioner for a two (2) month extension of time, extending the period for response to December 13, 2007. The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of \$230.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(2) small entity. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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Dated: December 12, 2007

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.


Jean Svoboda

Date: December 12, 2007